

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 5/2/2025
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PERRY LOPEZ,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF  
EDUCATION,

Defendant.

17-CV-9205 (LTS) (BCM)

**ORDER SCHEDULING CASE  
MANAGEMENT CONFERENCE**

**BARBARA MOSES, United States Magistrate Judge.**

This action has been referred to Magistrate Judge Barbara Moses for general pretrial management, including scheduling, discovery, non-dispositive pretrial motions, and settlement, pursuant to 28 U.S.C. § 636(b)(1)(A). All pretrial motions and applications, including those related to scheduling and discovery (but excluding motions to dismiss or for judgment on the pleadings, for injunctive relief, for summary judgment, or for class certification under Fed. R. Civ. P. 23) must be made to Judge Moses and in compliance with this Court's Individual Practices in Civil Cases, available on the Court's website at <https://nysd.uscourts.gov/hon-barbara-moses>.

It appears to the Court that no case management and scheduling conference has yet taken place in this action. It is therefore **ORDERED** that an initial conference in accordance with Fed. R. Civ. P. 16 will be held on **June 17, 2025, at 11:00 a.m.**, in Courtroom 20A, 500 Pearl Street, New York, New York. At the conference, the parties must be prepared to discuss the subjects set forth in Fed. R. Civ. P. 16(b) and (c).

It is further **ORDERED** that each party confer with all other parties to make sure that all parties, or their attorneys, have a copy of this Order and can attend the conference. If any party needs to change the date of the conference, that party must make the request, by letter, as soon as the need for a different date is known. Please see § 2(a) of Judge Moses's Individual Practices for a description of what information must be contained in that letter.

It is further **ORDERED** that the parties must meet and confer in accordance with Fed. R. Civ. P. 26(f) no later than 21 days prior to the initial case management conference. No later than **one week (seven calendar days)** prior to the conference, the parties must file a Pre-Conference Statement, via ECF, signed by each party or, if represented by counsel, that party's attorney. The Statement, which will constitute the written report required by Fed. R. Civ. P. 26(f)(2), must contain the following information:

1. The date of the conference and appearances for the parties, including the names of the individual attorneys who will attend, their law firms, addresses, and telephone numbers, and the party or parties represented. The Court expects each represented party's principal trial attorney to attend the conference.
2. A concise statement of the nature of the case and the issues as they appear on the date of the Statement, including any issues as to jurisdiction or venue and any anticipated motions pursuant to Fed. R. Civ. P. 12(b) or (c).
3. Whether any party wishes to amend a pleading or add new parties, and what the deadline should be for moving for leave to do so.
4. A proposed discovery schedule including:
  - a. A date for exchanging the automatic disclosures required by Fed. R. Civ. P. 26(a)(1)(A), or the date on which such disclosures were accomplished;
  - b. Dates for the *service* of initial document production requests and interrogatories (limited in accordance with Local Civil Rule 33.3);
  - c. A date by which all fact depositions will be completed, including the names (if known) or descriptions of persons expected to be deposed;
  - d. A date for the close of all fact discovery;
  - e. Dates by which each party's expert report(s) or other expert disclosure, and any responding reports, will be supplied to the adversary;
  - f. A date for the close of all discovery, including expert depositions.
5. Whether any special limitations should be placed on discovery, including protective or confidentiality orders. The parties may (but are not required to) use the Model Protective Order found on the Court's website at <https://nysd.uscourts.gov/hon-barbara-moses>.

6. Whether any special discovery issues are likely to arise that may warrant early attention from the Court (including ESI protocols, litigation holds, and other issues relating to the preservation, retrieval and/or production of electronically stored information).
7. A date, approximately 30 days prior to the close of fact discovery, for a status conference with the Court.
8. What the deadline should be for filing summary judgment or other pretrial motions, if any;
9. What the deadline should be for the parties to submit a joint pretrial order (in accordance with the procedures of the judge before whom the trial will be conducted)
10. The anticipated length of trial and whether a jury has been requested.
11. Whether the parties wish to consent to trial before the designated magistrate judge.

To the extent the parties are in disagreement concerning any portion of the Pre-Conference Statement, they may submit separate proposals as to such portion, *without argument*.

Plaintiff is hereby notified that pro se parties may file pleadings, letters, and other documents with the Court by using any of the following methods:

- a. Drop off the document in the drop box located in the lobby of the U.S. Courthouse at 500 Pearl Street, New York, NY 10007.
- b. Mail the documents to the Pro Se Intake Unit at 500 Pearl Street, Room 205, New York, New York, 10007. The Pro Se Intake Unit (telephone (212) 805-0175) may be of assistance to pro se litigants in connection with court procedures but cannot provide legal advice.
- c. Email the documents to [ProSe@nysd.uscourts.gov](mailto:ProSe@nysd.uscourts.gov). Instructions for filing documents by email may be found on the Court's website at <https://nysd.uscourts.gov/prose>

Plaintiff is further advised that he may choose to receive documents filed in this case by e-mail instead of by regular mail. If plaintiff wishes to receive case information by e-mail, plaintiff must follow the instructions in the Consent and Registration Form, which is available on the website of the United States District Court for the Southern District of New York: <https://www.nysd.uscourts.gov/forms/consent-electronic-service-pro-se-cases>.

Plaintiff may wish to contact the Federal Pro Se Legal Assistance Project in the Southern District of New York, which is a free legal clinic staffed by attorneys and paralegals to assist those who are representing themselves in civil lawsuits in this court. The project is run by a private organization; it is not part of, or run by, the Court. It cannot accept filings on behalf of the Court, which must still be made by any pro se party through the Pro Se Intake Unit.

To receive limited-scope assistance from the project, parties may complete the clinic's intake form on their computer or phone at: <https://www.citybarjusticecenter.org/projects/federal-pro-se-legal-assistance-project/>. If parties have questions regarding the form or they are unable to complete it, they may leave a voicemail at (212) 382-4794. A copy of a flyer with details about the project is attached to this Order.

Dated: New York, New York  
May 2, 2025

**SO ORDERED.**

A handwritten signature in blue ink, appearing to read 'Barbara Moses', is written over a horizontal line.

**BARBARA MOSES**  
**United States Magistrate Judge**